

## REMARKS

Reconsideration of this application in light of the present amendment and remarks is respectfully requested.

Applicants acknowledge with thanks the examiner's indication that claims 7 and 13 are allowable.

Claims 1-6, 8-12 and 14-16 have been rejected.

Claim 7 has been canceled, without prejudice.

Claims 1, 8 and 13 have been amended.

Claims 1-6 and 8-16 are pending in this application.

### Formal matters

Claim 8 has been amended to provide proper antecedent basis for the subsequent terms in the claim.

Claim 13 has been amended to correct typographical errors to properly follow from the equations on page 13 line 20 and page 14 line 9 of the priority document. Specifically in line 5 of claim 13, the term following each beta function is an exponent and not just an addition/subtraction. In the same line 5, the third beta function has an exponent with a numerator of  $N+D-1$  and not  $N\_D-1$ . In line 7 of claim 13, again the term following each beta function is an exponent and not just an addition/subtraction.

### Substantive matters

Applicants acknowledge with thanks the Examiner's indication that claims 7 and 13 would be allowable if rewritten to include all the limitations of the base claim and any intervening claims. Accordingly, independent claim 1 has been amended to incorporate the recitations of claim 7, which is subsequently canceled. As the Examiner still rejects intervening claims 5 and 6, these claims have not been incorporated into claim 1 at this time. It is felt that the combination of claims 1 and 7 are sufficient to provide allowability. Therefore, applicants respectfully request the Examiner to withdraw the above objection and allow amended claim 1.

Claims 1-6 and 15 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Ahmed et al. (US Publ. 2002/0048333) in view of Zhang (US Pat. 6,369,758). This rejection is respectfully traversed.

Applicants respectfully submit that claim 1 has been amended into a condition for allowance as detailed above.

Claims 2-6 and 15 are dependent upon amended claim 1, hereby incorporated by reference, and are therefore deemed allowable as well for the same reasons.

Accordingly, applicants respectfully request that this rejection be withdrawn.

Claims 8-12 and 16 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Ahmed et al. (US Publ. 2002/0048333) in view of Zhang (US Pat. 6,369,758), and in view of Laroia et al. (US Publ. 2002/0044524). This rejection is respectfully traversed.

Claims 8-12 and 16 are dependent upon amended claim 1, hereby incorporated by reference, and are therefore deemed allowable as well for the same reasons.

Accordingly, applicants respectfully request that this rejection be withdrawn.

The other references of record have been reviewed and applicant's invention is deemed patentably distinct and nonobvious over each taken alone or in combination.

For the foregoing reasons, applicants respectfully request that the above rejections be withdrawn.

Inasmuch as this amendment distinguishes all of the applicants' claims over the prior art references, for the many reasons indicated above, passing of this case is now believed to be in order. A Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection or through an Examiner's amendment.

Authorization is hereby given to charge any fees necessitated by actions taken herein to Deposit Account 50-2117.

Respectfully submitted,  
**Muck et al.**

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